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11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

14 TONIE ROBINSON, individually,

15 Plaintiff,

16 v.

17 MV TRANSPORTATION, INC.; DOE BUS
OPERATOR; DOE BUS DRIVER; DOES I-
18 X, and ROE CORPORATIONS I-X, inclusive,

19 Defendants.

Case No. 2:17-cv-01491-RFB-PAL

**STIPULATION AND ORDER
DISMISSING PLAINTIFF'S SECOND
CAUSE OF ACTION WITH PREJUDICE
AND VACATING BRIEFING SCHEDULE**

Trial Date: None Set

21 COMES NOW Plaintiff, TONIE ROBINSON, ("Plaintiff"), by and through his counsel of
22 record, Richard Harris Law Firm, Defendant MV TRANSPORTATION, INC., by and through its
23 counsel of record, Wood, Smith, Henning & Berman LLP, and hereby stipulate and agree to the
24 following:

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1 THE PARTIES HEREBY STIPULATE AND AGREE that Plaintiff's Second Cause of Action,
2 asserting a violation of the Americans With Disabilities Act (ADA) 42 U.S.C. § 12, 101 et. seq., is
3 hereby dismissed with prejudice.

4 THE PARTIES FURTHER STIPULATE AND AGREE that the briefing schedule ~~and~~
5 ~~hearing~~ associated with MV Transportation, Inc.'s Motion for Partial Summary Judgment regarding
6 Plaintiff's Second Cause of Action, asserting a violation of the Americans With Disabilities Act
7 (ADA) 42 U.S.C. § 12, 101 et. seq., filed with the Court on February 13, 2018, Document Number
8 22, is hereby vacated. IT IS FURTHER ORDERED that MV Transportation, Inc.'s Motion for
9 Partial Summary Judgment is DENIED as moot.

10 **IT IS SO STIPULATED.**

11 DATED this 27th day of February, 2018

12 WOOD SMITH HENNING & BERMAN, LLP

13 /s/ Analise N. Martinez

14 Brooke A. Bohlke
15 Nevada Bar No. 9374
16 Analise N. Martinez
Nevada Bar No. 13185
Attorneys for Defendant
MV TRANSPORTATION, INC.

DATED this 27th day of February, 2018

RICHARD HARRIS LAW FIRM

/s/ David J. Martin

David J. Martin, Esq.
Nevada Bar No. 9117
Attorneys for Plaintiff
TONIE ROBINSON

17 **IT IS SO ORDERED.**

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19 Dated this 27th day of March, 2018.



20 RICHARD F. BOULWARE, II
21 United States District Court
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CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of February, 2018, a true and correct copy of **STIPULATION AND ORDER DISMISSING PLAINTIFF'S SECOND CAUSE OF ACTION WITH PREJUDICE AND VACATING BRIEFING SCHEDULE** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By /s/ Cindy A. Mulder
An Employee of WOOD, SMITH, HENNING &
BERMAN LLP